

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

JUDGMENT IN A CIVIL CASE

DAMIEN M. TURNER,

Petitioner,

v.

KEITH SMITH, Warden,

Respondent.

CASE NO. 2:08-CV-52

JUDGE MARBLEY

MAGISTRATE JUDGE KING

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☐ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

☒ **Decision by Court.** This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED That pursuant to the March 23, 2009 Opinion and Order, the *Report and Recommendation* is **ADOPTED and AFFIRMED**. This case is **DISMISSED**.

Date: March 23, 2009

James Bonini, Clerk

s/Betty L. Clark

Betty L. Clark/Deputy Clerk